

5751

2013-2014 Regular Sessions

I N   S E N A T E

June 12, 2013

---

Introduced by Sen. KLEIN -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the alcoholic beverage control law, in relation to the definition of "for cause" revocation of licenses

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Subdivision 3 of section 118 of the alcoholic beverage  
2 control law, as added by chapter 536 of the laws of 1996, is amended to  
3 read as follows:  
4     3. (A) As used in this section, the term "for cause" shall also  
5 include the existence of a sustained and continuing pattern of noise,  
6 disturbance, misconduct, or disorder on or about the licensed premises,  
7 related to the operation of the premises or the conduct of its patrons,  
8 which adversely affects the health, welfare or safety of the inhabitants  
9 of the area in which such licensed premises are located.  
10    (B) AS USED IN THIS SECTION, THE TERM "FOR CAUSE" SHALL ALSO INCLUDE  
11 DELIBERATELY MISLEADING THE AUTHORITY ON THE NATURE OF THE BUSINESS TO  
12 BE OPERATED ON THE LICENSED PREMISES OR CHANGING THE NATURE OF THE BUSI-  
13 NESS AT THE LICENSED PREMISES DURING THE LICENSING PERIOD WITHOUT SEEK-  
14 ING PRIOR APPROVAL FROM THE AUTHORITY.  
15    S 2. This act shall take effect immediately.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD11313-01-3